

PB# 97-8

PETRO METALS, INC.

35-1-43

PETRO METALS, INC. AMENDED S.P.
WINDSOR HIGHWAY (SHAW)

97 - 8

Approved 4/29/97

MADE IN U.S.A.
© Wilson Jones, 1989

DATE February 25, 1997 **RECEIPT** NUMBER 97-8
 RECEIVED FROM Petro Metals, Inc.
 Address P.O. Box 928 - Vails Gate, N.Y. 12584
Seven Hundred Fifty 00/100 DOLLARS \$750.00
 FOR Site Plan Easement

ACCOUNT	HOW PAID
BEGINNING BALANCE	750 00 CASH
AMOUNT PAID	750 00 CHECK #3428
BALANCE DUE	-0- MONEY ORDER

BY

J. Zappala
Theresa Mason, Secretary

TOWN OF NEW WINDSOR
 555 Union Avenue
 New Windsor, NY 12553

General Receipt

16158

Feb. 25 1997

Received from Petro Metals, Inc. \$ 100.00

One Hundred 00/100 DOLLARS

For Planning Board # 97-8

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>CK # 3427</u>		<u>100.00</u>

By

Dorothy H. Hansen

Town Clerk

TITLE

WILLIAMSON LAW BOOK CO., VICTOR, NY 14564

TOWN OF NEW WINDSOR
 555 Union Avenue
 New Windsor, NY 12553

General Receipt

16283

April 29 1997
 Received from Petro Metals, Inc. \$ 100.00

One Hundred and 00 DOLLARS

For Planning Board 97-8 100

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>CK # 3469</u>		<u>100.00</u>

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Eng - fee



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Ron Lander as Acting Chairman

No Additional Pavement

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

LA: (m) S 3 Ayes
(S) LU 0 Nayes

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

Wave P.H. (m) S 3 Ayes
(S) LU 0 Nayes

ND (m) S 3 Ayes
(S) LU 0 Nayes

REVIEW NAME:
PROJECT LOCATION:
PROJECT NUMBER:
DATE:
DESCRIPTION:

PETRO METALS SITE PLAN AMENDMENT
WINDSOR HIGHWAY (NYS ROUTE 32)
SECTION 35-BLOCK 1-LOT 43

97-8

23 APRIL 1997

THE APPLICATION PROPOSES AN AMENDMENT TO THE APPROVED SITE PLAN WITH THE ADDITION OF A 1,200 SQUARE FOOT GARAGE/WAREHOUSE ON THE NORTHEAST SIDE OF THE PROPERTY. THE PLAN WAS PREVIOUSLY REVIEWED AT THE 26 FEBRUARY 1997 PLANNING BOARD MEETING.

App (m) S 3 Ayes
(S) LU 0 Nayes

1. At the 26 February 1997 Planning Board meeting, the Board forwarded this application to the Zoning Board of Appeals for a necessary variance for front yard setback and building height variances for the proposed building.

It is my understanding that the Applicant received the necessary variances on 14 April 1997. A copy of the Zoning Board action should be on file with the Planning Board.

2. At this time I am aware of no further concerns relative to this site plan amendment, although the Board should take the procedural steps as further outlined below.
3. The Planning Board may wish to assume the position of **Lead Agency** under the SEQRA process.
4. The Planning Board should determine, for the record, if a **Public Hearing** will be necessary for his **Site Plan**, per its discretionary judgement under Paragraph 48-19.C of the Town Zoning Local Law.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: PETRO METALS SITE PLAN AMENDMENT
PROJECT LOCATION: WINDSOR HIGHWAY (NYS ROUTE 32)
SECTION 35-BLOCK 1-LOT 43
PROJECT NUMBER: 97-8
DATE: 23 APRIL 1997

5. The Planning Board may wish to make a **determination** regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
6. At this time I am aware of no further concerns with regard to this application and, as such, once the procedural items are completed, I believe the Board could consider site plan approval.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A:PETRO2.mk

NEW WINDSOR ZONING BOARD OF APPEALS

35-1-43

In the Matter of the Application of

PETRO METALS, INC.

**MEMORANDUM OF
DECISION GRANTING
AREA VARIANCE**

#97-12.

WHEREAS, PETRO METALS, INC., a corporation with offices located at P. O. Box 928, Vails Gate, New York 12584, has made application before the Zoning Board of Appeals for a 14 ft. front yard and a 2 ft. 8 in. maximum building height variance in order to construct a garage/warehouse on Route 32 near Willow Lane in a C/PI zone; and

WHEREAS, a public hearing was held on the 14th day of April, 1997 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared before the Board by Greg Shaw, P. E. of Shaw Engineering; and

WHEREAS, there were 2 spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application but the spectators present did inquire informally of the Building Inspector, whereupon neither had any further questions; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a commercial property located in a neighborhood of commercial properties which neighborhood is across a busy state highway from a neighborhood of one-family homes.

(b) The application is made for the purpose of allowing an accessory structure to be constructed. Said accessory structure would be a garage/warehouse in which there would

be electricity but no other utilities and no sanitary facilities.

(c) The proposed structure is sought to be constructed solely for the purpose of storage.

(d) If the variances are granted it will be subject to site plan review and approval by the New Windsor Planning Board.

(e) The front yard variance is sought because of the peculiar triangular nature of the property and the fact that the least obtrusive and most useful location of this accessory building would be in a place for which a front yard variance is necessary.

(f) The property itself is located on an elevation above the roadway and so if constructed would not be readily visible from the roadway.

(g) The accessory building is proposed to be located in a place which would not detract from the existing parking available.

(h) If the proposed building is permitted to be constructed it will not cause any additional drainage difficulties to the site or the ponding of accumulation of water.

(i) No trees or significant vegetation will be removed for the construction of the structure if it is permitted. By applying for the construction of the structure as a separate structure and not as an accessory structure its location will require lesser front yard set back variance than would be required if it were an accessory structure.

(j) The proposed structure will not interfere with the sewage or septic service to the property and is not located on an easement of any kind.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variances requested are substantial in relation to the Town regulations but nevertheless are warranted due to the peculiar nature of the property.

4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed because the warehouse/garage is a permissible accessory structure and is located on the premises in the least obtrusive place possible due to the nature and location of the property.

6. The benefit to the Applicant, if the requested variances are granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variances are appropriate and is the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variances.

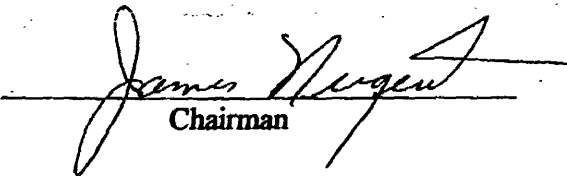
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 14 ft. front yard and 2 ft. 8 in. maximum building height variances in order for applicant to construct a garage/warehouse on Route 32 at the above-referenced property in a C/PI zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: June 23, 1997.


Chairman

PETRO METALS SITE PLAN (97-8) RT. 32

MR. PETRO: Next is Petro Metals site plan which obviously I'm a principle in that company so I will withdraw myself from the board and turn it over to Mr. Lander, who is vice chairman.

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. LANDER: State your case.

MR. SHAW: One of the few times I'm short on words for this application, you have seen it before, you referred us to the Zoning Board of Appeals for a variance, actually we got a couple variances, one was for a building height and the second was for a front yard setback. Those variances were granted on April 14 of 1997, I believe that was last week. And that was granted at the time of the public hearing. The project before you is a 1,200 square foot garage slash warehouse. It is located on a little less than a 2 acre parcel of land on Windsor Highway opposite Willow Lane. This board approved a couple buildings on this site plan probably about two years ago and the buildings that were approved by this board have been constructed as have been the associated parking. Very simply, a garage slash warehouse located on the northerly portion of this site, there will be electric to the building but there will not be any water or sewer to the building. If you notice on the zoning schedule we have ample parking for all three buildings and the improvements to the site would just be this structure, there will be no additional parking, no accessways, no utilities and this building is used in conjunction with the tenant who occupies the front building which is an auction house and the goods that come into the auction house will be stored in this structure and during the day at the auction or before the action they will be taken from the structure and brought into the retail building. That simply is a quick overview, should you or any of the board members have any questions.

MR. LANDER: Let's read into the record we have

municipal highway approval, municipal water approval and municipal fire approved, 2/25/97, Mr. Shaw, are we planning on putting any extra pavement here? I know it's in front of the existing overflow parking.

MR. SHAW: No, no additional paving.

MR. LANDER: Is there going to be a garage door on here or maybe the owner would know?

MR. SHAW: Let me confer with my client. Just one garage door.

MR. LANDER: And the garage door would be on facing the parking lot I would imagine?

MR. SHAW: Yes.

MR. LANDER: Do you plan in the future to make this other than a garage or warehouse?

MR. PETRO: Simply put it this way, if I did and it became a commercial building, I'd have to reappear before the board.

MR. LANDER: Just as long as you know that.

MR. PETRO: Right.

MR. LUCAS: Would you want to pave now between the garage door?

MR. PETRO: No because it's not for vehicles, not necessarily for vehicles, for furniture, you could put a car in there, but the shale overflow parking goes directly to it, it's only 20 feet off the pavement as it stands now.

MR. LANDER: If you did, they'd probably be pulling right up to it if you paved it.

MR. LUCAS: Electrical service will be underground?

MR. PETRO: Yes, underground right from the pole that is there.

MR. LUCAS: Where is that pole?

MR. LANDER: There's a pole here and here.

MR. PETRO: If I went to a commercial use later which is permitted in the zone, I would have to supply ample parking for that building which may or may not be already in the parking calculations but I'd probably have to pave it for additional handicapped anyway.

MR. STENT: Now it's an accessory building?

MR. PETRO: Right.

MR. LANDER: Do you have anything?

MR. STENT: No, I move we declare lead agency under SEQRA.

MR. LUCAS: Second it.

MR. LANDER: Motion to declare lead agency has been made and seconded by Mr. Lucas.

ROLL CALL

MR. STENT AYE

MR. LUCAS AYE

MR. LANDER AYE

MR. STENT: Did you mention that you had a public hearing at the zoning board?

MR. SHAW: Yes, we had a public hearing, I believe it was last Monday, Mr. Krieger was in attendance as were the ZBA members, nobody from the public showed, there was no interest from any of the adjoining neighbors with respect to the variance application.

MR. BABCOCK: Mr. Shaw, Mr. Chairman, maybe I can just refer to that one, after the ZBA had their meeting, the public hearing and nobody attended, later on that evening, two elderly gentlemen showed up in reference to this plan and they were confused as to where the

building went and I took a plan out and showed them and they were concerned that it was going on their property.

MR. LANDER: They must have been on the other corner.

MR. BABCOCK: They are right directly cross, the notice in the paper said that it was on the corner of Willow Lane, so they thought it was going on the corner of Willow Lane and it was just a reference that it was at the intersection of Willow.

MR. LANDER: Well, those two gentlemen showed up and they were just--

MR. KRIEGER: Mike showed them the map and they were happy.

MR. LANDER: They were confused, rightfully so, they wanted to know where the building was going to go.

MR. STENT: I move we waive the public hearing.

MR. LUCAS: Second it.

MR. LANDER: Motion has been made and seconded that we waive the public hearing for this site plan under discretionary judgment under paragraph 48-19C of the town zoning local law.

ROLL CALL

MR. STENT	AYE
MR. LUCAS	AYE
MR. LANDER	AYE

MR. LUCAS: Grant final approval.

MR. LANDER: I think we need a determination, negative dec.

MR. STENT: Move we declare negative dec on this site plan as amended.

MR. LUCAS: Second it.

April 23, 1997

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MR. LANDER: Motion has been made and seconded that we declare negative dec on the Petro Metals site plan.

ROLL CALL

MR. STENT	AYE
MR. LUCAS	AYE
MR. LANDER	AYE

MR. STENT: Move we approve Petro Metals site plan amendment on Windsor Highway Section.

MR. LUCAS: Second it.

MR. LANDER: Motion has been made and seconded that we approve Petro Metals site plan amendment.

ROLL CALL

MR. STENT	AYE
MR. LUCAS	AYE
MR. LANDER	AYE

MR. SHAW: I thank you and my client thanks you.

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/02/97

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 97-8

NAME: PETRO METALS, INC. - WAREHOUSE/GARAGE
APPLICANT: PETRO METALS, INC.

---DATE---	MEETING-PURPOSE-----	ACTION-TAKEN-----
04/29/97	PLANS STAMPED	APPROVED
04/23/97	P.B. APPEARANCE	LA:ND WVE. PH APPR.
02/26/97	P.B. APPEARANCE	REFER TO Z.B.A.
02/20/97	WORK SESSION APPEARANCE	REVISE & SUBMIT

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 02/26/97

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 97-8

NAME: PETRO METALS, INC. - WAREHOUSE/GARAGE
APPLICANT: PETRO METALS, INC.

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	02/24/97	MUNICIPAL HIGHWAY	02/26/97	APPROVED
ORIG	02/24/97	MUNICIPAL WATER	02/26/97	APPROVED
ORIG	02/24/97	MUNICIPAL SEWER	/ /	
ORIG	02/24/97	MUNICIPAL FIRE	02/25/97	APPROVED

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/02/97

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 97-8

NAME: PETRO METALS, INC. - WAREHOUSE/GARAGE
APPLICANT: PETRO METALS, INC.

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	02/25/97	EAF SUBMITTED	02/25/97	WITH APPLICATION
ORIG	02/25/97	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	02/25/97	LEAD AGENCY DECLARED	04/23/97	TOOK LEAD AGENCY
ORIG	02/25/97	DECLARATION (POS/NEG)	04/23/97	DECL. NEG. DEC
ORIG	02/25/97	PUBLIC HEARING	04/23/97	WAIVE P.H.

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/02/97

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 97-8

NAME: PETRO METALS, INC. - WAREHOUSE/GARAGE
APPLICANT: PETRO METALS, INC.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
02/25/97	REC. CK. #3428	PAID		750.00	
02/26/97	P.B. ATTY. FEE	CHG	35.00		
02/26/97	P.B. MINUTES	CHG	9.00		
04/23/97	P.B. ATTY. FEE	CHG	35.00		
04/23/97	P.B. MINUTES	CHG	22.50		
05/01/97	P.B. ENGINEER FEE	CHG	148.00		
05/02/97	RET. TO APPLICANT	CHG	500.50		
		TOTAL:	750.00	750.00	0.00

LR 5/2/97

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/02/97

PAGE: 1

LISTING OF PLANNING BOARD FEES
APPROVAL

FOR PROJECT NUMBER: 97-8

NAME: PETRO METALS, INC. - WAREHOUSE/GARAGE

APPLICANT: PETRO METALS, INC.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	--AMT-PAID	--BAL-DUE
04/23/97	SITE PLAN APPROVAL FEE	CHG	100.00		
04/28/97	REC. CK. #3469	PAID		100.00	
		TOTAL:	100.00	100.00	0.00

AS OF: 04/30/97

PAGE: 1

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56 NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 97- 8

FOR WORK DONE PRIOR TO: 04/30/97

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT DESCRIPTION-----	RATE	HRS.	TIME	-----DOLLARS-----			
									EXP.	BILLED	BALANCE	
97-8	12937	02/20/97	TIME	MJE	MS PETRO MET S/P	75.00	0.40	30.00				
97-8	13725	02/25/97	TIME	MJE	MC PETRO METAL	75.00	0.50	37.50				
97-8	13153	02/26/97	TIME	MJE	MM DISAPP TO ZBA	75.00	0.10	7.50				
97-8	13746	02/26/97	TIME	MJE	MC PETRO METAL S/P	75.00	0.10	7.50				
97-8	13910	02/26/97	TIME	MCK	CL PETRO METALS COMMENT	28.00	0.50	14.00				
									96.50			
97-8	17889	03/31/97			BILL 97-334 4/15/97					-96.50		
										-96.50		
97-8	18789	04/23/97	TIME	MCK	CL PETRO MTLS RVW COMM	28.00	0.50	14.00				
97-8	18981	04/23/97	TIME	MJE	MC PETRO	75.00	0.40	30.00				
97-8	18986	04/23/97	TIME	MJE	MC Petro S/P appd	75.00	0.10	7.50				
TASK TOTAL									148.00	0.00	-96.50	51.50
GRAND TOTAL									148.00	0.00	-96.50	51.50

**Zoning Board of Appeals
Regular Session
April 14, 1997**

REVISED AGENDA:

7:30 p.m. - ROLL CALL

Motion to accept minutes of the 3/24/97 meeting as written.

PRELIMINARY MEETING:

SET UP FOR P/H

1. SANTILLO, JOSEPH - Request for 10 ft. side yard variance for existing deck and 4 ft. rear yard variance for existing shed at 3 Elizabeth Lane in R-4 zone. (33-1-24). ✓

PUBLIC HEARINGS:

APPROVED

✓ **2. TARSIO, JANINE - Request for 22 ft. rear yard variance for existing pool deck at 216 Dairy Lane in CL-1 zone. (78-11-2). ✓**

APPROVED

3. PETRO METALS, INC. - Request for 14 ft. front yard and 2 ft. 8 in. maximum building height variances in order to construct a garage/warehouse on Rt. 32 near Willow Lane in a C/PI zone. Present: Greg Shaw, P. E. (35-1-43). ✓

APPROVED

4. LOMARTERE, CHARLES - Request for 6 ft. rear yard variance for existing shed at 28 Jay Street in an R-4 zone. (41-3-2.41). ✓

APPROVED

5. MORFE, CARMEN P. - Request for 2 ft. side yard and 18 ft. rear yard variances for existing above-ground pool at 350 Butternut Drive in a CL-1 zone. (80-6-13). ✓

APPROVED

6. LANTHIER, TRACEY R. - Request for 5 ft. side and rear yard variances for existing shed at 61 Union Avenue in R-4 zone. Present: Fred Gorss, Esq. (23-1-5). ✓

APPROVED

7. DIETZ, JAMES - Request for 10 ft. rear yard variance for proposed deck at 220 Butterhill Drive in CL-1 zone. (78-6-1). ✓

FORMAL DECISIONS: (1) REDDINGS

(2) PIZZO

(3) NUCIFORE

APPROVED

**Pat - 563-4630 (o)
562-7107 (h)**

PETRO METALS

MR. NUGENT: Request for 14 ft. front yard and 2 ft. 8 in. maximum building height variance for construction of a 1,200 s.f. garage/warehouse for storage purposes located on Windsor Highway and Willow Lane in a C/PI zone.

Gregory Shaw of Shaw Engineering appeared before the for this proposal.

MR. SHAW: I'm sure that the board remembers this project, it was built just over this past year. This board also granted some previous variances for this project on building height and interpretation et cetera, I have been up there many times, it's an attractive looking site. What Petro Metals is proposing is to construct a new 1,200 square foot garage slash warehouse, it's going to be located on the northerly portion of the site, just adjacent to the existing what the planning board and what the approved drawings refer to as overflow parking. Unfortunately, the site is almost a perfect isosceles triangle bordered to the north by Conrail and with that, we have placed a structure as close as we can to the Conrail property but we're deficient in the two areas which you just mentioned, that being front yard setback, we're required to provide 60 feet and we're only providing 40 feet, excuse me, 46 feet and with respect to building height, we were allowed to go a maximum height of 15 feet four inches, we're proposing to go to a height to the ridge line of 18 feet so those are the two variances. Again, it's a garage warehouse. There will be no water, no sewer, no heat, I'm sure there will be electric brought to it and it's going to be used for the storage of goods which go before the auction house that front building, as you're aware is an auction and I guess they have come to a conclusion that they are just out of room to store the goods as they come in until the auction night arrives so again, that is the purpose of the building.

MR. REIS: What's the access?

MR. SHAW: Access is going to be the south side of the

building so it's actually going to face the overflow parking area, there will be some overhead doors, I believe.

MR. TORLEY: You have note 2 in the zoning schedule for the side yard but this is facing active railroad tracks we don't need a side for that.

MR. BABCOCK: No, it's not required.

MR. TORLEY: But you have a note denoting a variance if I see this note over here, denotes variances obtained from Town of New Windsor but it's applicable only to the side yard there anyway.

MR. SHAW: We're referring to what minimum side yard one?

MR. TORLEY: Yeah, says see note 2 zoning schedule.

MR. SHAW: Yeah, I think that note is there just so that I'm just trying to remember now, note one.

MR. TORLEY: It really doesn't matter because you don't need a side yard.

MR. SHAW: I think I just put that note there just to let me know so when they look at the plans they don't say wait a minute, how come there's not a side yard for this building.

MR. TORLEY: That was one of the original considerations back here since it was an active railroad track, it wasn't needed.

MR. SHAW: Correct.

MR. TORLEY: You might want to change that note to show whatever the code is for railroad tracks.

MR. BABCOCK: You can put a fourth note there and just quote the section of the code in the text that says that you are exempt from a side yard setback.

MR. SHAW: Okay, that is specifically referred to in

the text?

MR. BABCOCK: Yeah, I think it's 4815 but you have to check that.

MR. SHAW: Okay, that I can do.

MR. NUGENT: Are there any further questions by the board? Pretty simple, cut and dry.

MR. REIS: Accept a motion?

MR. NUGENT: I'll accept a motion.

MR. REIS: I make a motion that we set up Petro Metals up for a public hearing.

MR. KANE: Second the motion.

ROLL CALL

MS. OWEN	AYE
MR. TORLEY	AYE
MR. KANE	AYE
MR. REIS	AYE
MR. NUGENT	AYE

MR. SHAW: Thank you.

MR. KRIEGER: Do you want my list of criteria?

MR. SHAW: I have enough of them. We'll return in approximately four weeks for the public hearing, it will be in April. Thank you.

MR. TORLEY: Make a motion we adjourn.

MR. KANE: Second it.

ROLL CALL

MS. OWEN	AYE
MR. TORLEY	AYE
MR. KANE	AYE
MR. REIS	AYE

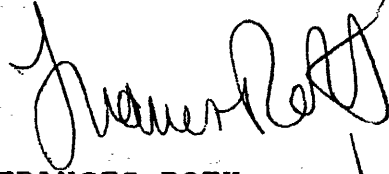
March 10, 1997

12

MR. NUGENT

AYE

RESPECTFULLY SUBMITTED BY

A handwritten signature in cursive script, appearing to read "Frances Roth".

FRANCES ROTH
STENOGRAPHER

3/10/97



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: PETRO METALS SITE PLAN AMENDMENT
PROJECT LOCATION: WINDSOR HIGHWAY (NYS ROUTE 32)
SECTION 35-BLOCK 1-LOT 43
PROJECT NUMBER: 97-8
DATE: 26 FEBRUARY 1997
DESCRIPTION: THE APPLICATION PROPOSES AN AMENDMENT TO THE APPROVED SITE PLAN WITH THE ADDITION OF A 1,200 SQUARE FOOT GARAGE/WAREHOUSE ON THE NORTHEAST SIDE OF THE PROPERTY. THE PLAN WAS REVIEWED ON A CONCEPT BASIS ONLY.

1. The new garage/warehouse building is being set against the northeasterly property line, which adjoins the Conrail railroad property. Buildings along this property line are not subject to yard regulations, as per Section 48-15(B).

The building is being considered a primary structure under the Zoning Bulk Tables and is still subject to the front yard setback and building height requirements of the Code. The site conditions result in the placement of the building, such that a front yard setback variance and building height variance are required. Based on same, a referral to the Zoning Board of Appeals would appear in order.

2. The Board should note that the Applicant has revised the parking calculations for the site to address the individual use of the garage/warehouse. The plan depicts the manner in which off-street parking compliance is being maintained, with this additional use component.
3. At this time I am aware of no further concerns with regard to this site plan and, once the Applicant returns from the Zoning Board of Appeals, I will be pleased to perform any additional reviews, as deemed necessary by the Planning Board.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer
MJEmk
A:PETRO.mk



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
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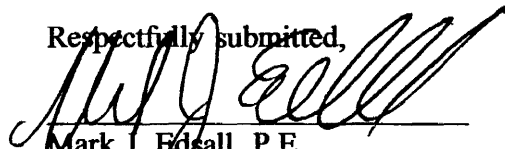
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**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: STEVENSON LUMBER SITE PLAN
PROJECT LOCATION: OFF RUSCITTI ROAD
SECTION 9-BLOCK 1-LOT 42.5
PROJECT NUMBER: 97-4
DATE: 26 FEBRUARY 1997
DESCRIPTION: THE APPLICATION PROPOSES THE CONSTRUCTION OF TWO (2) 4,000 SQUARE FOOT STORAGE BUILDINGS ON THE SITE, WITH RELATED SITE IMPROVEMENTS. THE APPLICATION WAS PREVIOUSLY REVIEWED AT THE 12 FEBRUARY 1997 PLANNING BOARD MEETING.

1. The Applicant's architect has made corrections and revisions to the plan, as requested in my previous review comment sheet and as per the most recently Technical Work Session. At this time, I am aware of no outstanding issues with regard to the plan.
2. The Planning Board may wish to make a **determination** regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
3. At this time I am aware of no reason why the Planning Board could not consider a site plan approval, conditional on payment of all fees and establishing the necessary Site Improvement Bond Estimate.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer
MJEmk
A:STEVENS2.mk

POSSIBLE ZBA REFERRALS:

PETRO METALS, INC. SITE PLAN (97-8) WINDSOR HIGHWAY

MR. PETRO: I'm the owner of the property so at this time, I'm going to turn it over to Mr. Lander who is the vice chair to conduct this portion of the meeting.

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. LANDER: State your case, Mr. Shaw, make it brief, too.

MR. SHAW: I can be very brief. As was announced, I'm representing Petro Metals, Inc. tonight regarding their parcel on Windsor Highway opposite Willow Lane. What we're looking for tonight is a rejection in order to allow us to go to the zoning board of appeals. We're proposing a new garage slash warehouse located on the northerly portion of this site. The dimensions are 40 feet by 30 feet for a total floor area of 1,200 square feet. Again, it is a garage which will be used as a warehouse. There is no water proposed for the structure, no sewer and no heat. We're deficient with respect to the Town of New Windsor zoning in two respects, one is the front yard setback. Your zoning requires a minimum of 60 feet and we're providing 46 feet. We're 14 feet shy. Also we're deficient with respect to building height allowing four inches per foot of distance to the nearest lot line, we're allowed only a building height of 15 feet four inches and we're proposing a total building height of 18 feet so we're also deficient in that regard. We'll have to go before the zoning board of appeals and get variances for relief, hopefully won't be too hard. As you can see, the geometry of the parcel dictates the fact that we're really limited as to how far we can push that building back, especially with the lands of Conrail to the north. So that concludes my presentation. If you'd be kind enough to give me a rejection, I will be on my way.

MR. LANDER: Mr. Shaw, note 2, what does that say? It says you got a variance on February 5, '96?

MR. SHAW: Correct, those were for the original two buildings which are labeled on this plan as existing.

MR. LANDER: You still have to go for the eight foot, no?

MR. SHAW: I still have to go.

MR. LANDER: For the new garage here?

MR. SHAW: No, if you take a look at note one and again that note was on the approved drawing which this board blessed a year and a half ago, that is with respect to Conrail, the setbacks are not applicable.

MR. LANDER: Well, gentlemen, we're not going to sit here tonight, let's get a motion, send him to zoning and see if it comes back.

MR. DUBALDI: Make a motion we approve the Petro site plan.

MR. STENT: Second it.

MR. LANDER: We have a motion made and seconded that we approve this application.

ROLL CALL

MR. DUBALDI	NO
MR. STENT	NO
MR. LUCAS	NO
MR. LANDER	NO

ZONING BOARD OF APPEALS

Regular Session

March 10, 1997

AGENDA:

7:30 p.m. - ROLL CALL

Motion to adopt the minutes of the 2/24/97 meeting as written, if available.

Correspondence Received-Richard Schisano, Esq., attorney representing Merrell Reddings, requests new hearing based on additional evidence.

PRELIMINARY MEETING:

*SET UP
FOR P/H*
1. PETRO METALS, INC. - Request for 14 ft. front yard and 2 ft. 8 in. maximum building height variance for construction of a 1,200 s.f. garage/warehouse for storage purposes, located on Windsor Highway and Willow Lane in a C/PI zone. (35-1-43). Present: Greg Shaw, P. E.

PUBLIC HEARINGS:

NONE

**PAT - 563-4630 (O)
562-7107 (H)**

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

#1 ZBA 3-10-97
SET UP FOR P/H
#2 ZBA 4-14-97
APPROVED

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 97-8

DATE: 3-4-97

APPLICANT: PETRO METAL

PO BOX 928

VAIRS GATE N.Y. 12584

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 2-24-97

FOR (~~SUBDIVISION~~ - SITE PLAN)

LOCATED AT RT 32 AND WILLOW LANE

ZONE C + PI

DESCRIPTION OF EXISTING SITE: SEC: 35 BLOCK: 1 LOT: 43

IS DISAPPROVED ON THE FOLLOWING GROUNDS: FRONT YARD

AND BUILDING HEIGHT



MICHAEL BABCOCK,
BUILDING INSPECTOR

REQUIREMENTSPROPOSED OR
AVAILABLEVARIANCE
REQUEST

ZONE	<u>C</u>	USE	<u>A1 - A3 / GARAGE - WAREHOUSE</u>		
MIN. LOT AREA					
MIN. LOT WIDTH					
REQ'D FRONT YD		<u>60 FT</u>	<u>46 FT</u>	<u>14 FT</u>	
REQ'D SIDE YD.					
REQ'D TOTAL SIDE YD.					
REQ'D REAR YD.					
REQ'D FRONTAGE					
MAX. BLDG. HT.	<u>15' 4"</u>	<u>4" PER FT OF DISTANCE TO NEAREST LOT LINE</u>	<u>18' 0"</u>	<u>2 FT 8"</u>	
FLOOR AREA RATIO					
MIN. LIVABLE AREA					
DEV. COVERAGE		<u>%</u>	<u>%</u>	<u>%</u>	
O/S PARKING SPACES					

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

POSSIBLE ZBA REFERRALS:

PETRO METALS, INC. SITE PLAN (97-8) WINDSOR HIGHWAY

MR. PETRO: I'm the owner of the property so at this time, I'm going to turn it over to Mr. Lander who is the vice chair to conduct this portion of the meeting.

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. LANDER: State your case, Mr. Shaw, make it brief, too.

MR. SHAW: I can be very brief. As was announced, I'm representing Petro Metals, Inc. tonight regarding their parcel on Windsor Highway opposite Willow Lane. What we're looking for tonight is a rejection in order to allow us to go to the zoning board of appeals. We're proposing a new garage slash warehouse located on the northerly portion of this site. The dimensions are 40 feet by 30 feet for a total floor area of 1,200 square feet. Again, it is a garage which will be used as a warehouse. There is no water proposed for the structure, no sewer and no heat. We're deficient with respect to the Town of New Windsor zoning in two respects, one is the front yard setback. Your zoning requires a minimum of 60 feet and we're providing 46 feet. We're 14 feet shy. Also we're deficient with respect to building height allowing four inches per foot of distance to the nearest lot line, we're allowed only a building height of 15 feet four inches and we're proposing a total building height of 18 feet so we're also deficient in that regard. We'll have to go before the zoning board of appeals and get variances for relief, hopefully won't be too hard. As you can see, the geometry of the parcel dictates the fact that we're really limited as to how far we can push that building back, especially with the lands of Conrail to the north. So that concludes my presentation. If you'd be kind enough to give me a rejection, I will be on my way.

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MR. DUBALDI: Make a motion we approve the Petro site plan.

MR. STENT: Second it.

MR. LANDER: We have a motion made and seconded that we approve this application.

ROLL CALL

MR. DUBALDI	NO
MR. STENT	NO
MR. LUCAS	NO
MR. LANDER	NO

RESULTS OF P.B. MEETING

DATE: February 26, 1997

PROJECT NAME: Petro Metals, Inc. S.P. PROJECT NUMBER 97-8

LEAD AGENCY:

* NEGATIVE DEC:

M) S) VOTE: A N

* M) S) VOTE: A N

CARRIED: YES NO

* CARRIED: YES: NO

PUBLIC HEARING: M) S) VOTE: A N

WAIVED: YES NO

SEND TO OR. CO. PLANNING: M) S) VOTE: A N YES NO

SEND TO DEPT. OF TRANSPORT: M) S) VOTE: A N YES NO

DISAPP: REFER TO Z.B.A.: M) D S) S VOTE: A 4 N 0 YES ✓ NO

RETURN TO WORK SHOP: YES NO

APPROVAL:

M) S) VOTE: A N APPROVED:

M) S) VOTE: A N APPR. CONDITIONALLY:

NEED NEW PLANS: YES NO

DISCUSSION/APPROVAL CONDITIONS:

Mr. Petro excused himself from the proceedings



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

RECEIVED

FEB 25 1997

N.W. HIGHWAY DEPT.

PLANNING BOARD FILE NUMBER: 97 - 8

DATE PLAN RECEIVED: RECEIVED FEB 24 1997

The maps and plans for the Site Approval ☒

Subdivision _____ as submitted by
_____ for the building or subdivision of
_____ has been

reviewed by me and is approved ☒

disapproved ☐

If disapproved, please list reason _____

[Signature] 2/26/97
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

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TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 97 - 8

DATE PLAN RECEIVED: RECEIVED FEB 24 1997

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

_____ for the building or subdivision of

Petro Metals, Inc. has been

reviewed by me and is approved ✓

disapproved _____

~~If disapproved, please list reason~~

This property is being held by town
water - Notifying water dept if any change -

HIGHWAY SUPERINTENDENT DATE

John D. D'Amico Apr-2-25-97
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

MEMO

To: New Windsor Planning Board

From: Town Fire Inspector

Subject: Petro Metals Site Plan

Date: 25 February 1997

Planning Board Reference Number: PB-97-8


Dated: 24 February 1997

Fire Prevention Reference Number: FPS-97-010

A review of the above referenced subject site plan was conducted on 24 February 1997.

This site plan is acceptable.

Plans Dated: 21 February 1997



Robert F. Rodgers, C.C.A.

RFR/dh



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ Main Office
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(914) 562-8640
- ☐ Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF NEW WINDSOR P/B # 97-8

WORK SESSION DATE: 20 FEB 97 APPLICANT RESUB.
REQUIRED: FULL AFF

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Petro Metals 9/P Am

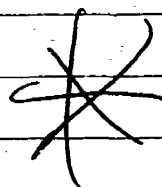
PROJECT STATUS: NEW X OLD

REPRESENTATIVE PRESENT: Greg Shaw

MUNIC REPS PRESENT: BLDG INSP. around
FIRE INSP. X
ENGINEER X
PLANNER
P/B CHMN.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- 48-14 (p 4811) Add Warehouse Bldg
- document - purely for change related to either price bldg
on site: not heated - no sewer or water - cannot
be occupied by diff business than that
- being in front yd.
height.



TOWN OF NEW WINDSOR

RECEIVED FEB 24 1997

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

"XX"

APPLICATION TO:
TOWN OF NEW WINDSOR PLANNING BOARD



17 TYPE OF APPLICATION (check appropriate item):

Subdivision _____ Lot Line Chg. _____ Site Plan X Spec. Permit _____

1. Name of Project New Garage/Warehouse For Petro Metals, Inc.

2. Name of Applicant Petro Metals, Inc. Phone 565-0769

Address P.O. Box 928, Vails Gate, N.Y. 12584
(Street No. & Name) (Post Office) (State) (zip)

3. Owner of Record Same As Applicant Phone _____

Address _____
(Street No. & Name) (Post Office) (State) (zip)

4. Person Preparing Plan Gregory J. Shaw, P.E.

Address 744 Broadway, Newburgh, N.Y. 12550
(Street No. & Name) (Post Office) (State) (zip)

5. Attorney _____ Phone _____

Address _____
(Street No. & Name) (Post Office) (State) (zip)

6. Person to be notified to represent applicant at Planning Board Meeting Gregory J. Shaw, P.E. Phone 561-3695
(Name)

7. Project Location: On the West side of Windsor Highway
50 feet West of Willow Lane
(direction) (street)

8. Project Data: Acreage of Parcel 1.67 Zone C S PI,
School Dist. Newburgh Consolidated

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Y _____ N X

If you answer "yes" to question 9, please complete the attached Agricultural Data Statement.

10. Tax Map Designation: Section 35 Block 1 Lot 43

11. General Description of Project: Construction of a 1,200 S.F.

Garage/Warehouse

12. Has the Zoning Board of Appeals granted any variances for this property? X yes no.

13. Has a Special Permit previously been granted for this property? yes X no.

ACKNOWLEDGEMENT:

If this acknowledgement is completed by anyone other than the property owner, a separate notarized statement from the owner must be submitted, authorizing this application.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application and supporting documents and drawings are true and accurate to the best of his/her knowledge and/or belief. The applicant further acknowledges responsibility to the Town for all fees and costs associated with the review of this application.

Sworn before me this

25th day of February 1997

Sam R. Petros
Applicant's Signature

Deborah Green
Notary Public

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 16, 1997

TOWN USE ONLY:

RECEIVED FEB 24 1997
Date Application Received

97 - 8
Application Number

APPLICANT'S PROXY STATEMENT
(for professional representation)for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARD

James Petro, deposes and says that he
(Applicant)
resides at Maharay Lane, New Windsor, New York 12553
(Applicant's Address)
in the County of Orange
and State of New York
and that he is the applicant for the New Garage/Warehouse For Petro
Metals, Inc.
(Project Name and Description)

which is the premises described in the foregoing application and
that he has authorized Gregory J. Shaw, P.E.
(Professional Representative)
to make the foregoing application as described therein.

Date: 2/25/97James R. Petro Jr.
(Owner's Signature)Donna Lee Peterson
(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

If applicable "XX"

TOWN OF NEW WINDSOR PLANNING BOARD
SITE PLAN CHECKLIST

ITEM

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Site Plan Title | 29. <input type="checkbox"/> Curbing Locations |
| 2. <input checked="" type="checkbox"/> Applicant's Name(s) | 30. <input type="checkbox"/> Curbing Through Section |
| 3. <input checked="" type="checkbox"/> Applicant's Address(es) | 31. <input type="checkbox"/> Catch Basin Locations |
| 4. <input checked="" type="checkbox"/> Site Plan Preparer's Name | 32. <input type="checkbox"/> Catch Basin Through Section |
| 5. <input checked="" type="checkbox"/> Site Plan Preparer's Address | 33. <input type="checkbox"/> Storm Drainage |
| 6. <input checked="" type="checkbox"/> Drawing Date | 34. <input type="checkbox"/> Refuse Storage |
| 7. <input checked="" type="checkbox"/> Revision Dates | 35. <input type="checkbox"/> Other Outdoor Storage |
| 8. <input checked="" type="checkbox"/> Area Map Inset | 36. <input type="checkbox"/> Water Supply |
| 9. <input checked="" type="checkbox"/> Site Designation | 37. <input type="checkbox"/> Sanitary Disposal System |
| 10. <input type="checkbox"/> Properties Within 500' of Site | 38. <input type="checkbox"/> Fire Hydrants |
| 11. <input type="checkbox"/> Property Owners (Item #10) | 39. <input checked="" type="checkbox"/> Building Locations |
| 12. <input checked="" type="checkbox"/> Plot Plan | 40. <input checked="" type="checkbox"/> Building Setbacks |
| 13. <input checked="" type="checkbox"/> Scale (1" = 50' or lesser) | 41. <input type="checkbox"/> Front Building Elevations |
| 14. <input checked="" type="checkbox"/> Metes and Bounds | 42. <input type="checkbox"/> Divisions of Occupancy |
| 15. <input checked="" type="checkbox"/> Zoning Designation | 43. <input type="checkbox"/> Sign Details |
| 16. <input checked="" type="checkbox"/> North Arrow | 44. <input checked="" type="checkbox"/> Bulk Table Inset |
| 17. <input checked="" type="checkbox"/> Abutting Property Owners | 45. <input checked="" type="checkbox"/> Property Area (Nearest 100 sq. ft.) |
| 18. <input checked="" type="checkbox"/> Existing Building Locations | 46. <input checked="" type="checkbox"/> Building Coverage (sq. ft.) |
| 19. <input checked="" type="checkbox"/> Existing Paved Areas | 47. <input checked="" type="checkbox"/> Building Coverage (% of Total Area) |
| 20. <input checked="" type="checkbox"/> Existing Vegetation | 48. <input checked="" type="checkbox"/> Pavement Coverage (sq. ft.) |
| 21. <input checked="" type="checkbox"/> Existing Access & Egress | 49. <input checked="" type="checkbox"/> Pavement Coverage (% of Total Area) |
| <u>PROPOSED IMPROVEMENTS</u> | 50. <input checked="" type="checkbox"/> Open Space (sq. ft.) |
| 22. <input type="checkbox"/> Landscaping | 51. <input checked="" type="checkbox"/> Open Space (% of Total Area) |
| 23. <input type="checkbox"/> Exterior Lighting | 52. <input checked="" type="checkbox"/> No. of Parking Spaces Prop. |
| 24. <input type="checkbox"/> Screening | 53. <input checked="" type="checkbox"/> No. of Parking Spaces Req. |
| 25. <input type="checkbox"/> Access & Egress | |
| 26. <input type="checkbox"/> Parking Areas | |
| 27. <input type="checkbox"/> Loading Areas | |
| 28. <input type="checkbox"/> Paving Details
(Items 25-27) | |

Items not indicated are not applicable to this application

REFERRING TO QUESTION 9 ON THE APPLICATION FORM, "IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36. _____ Referral to Orange County Planning Dept. required for all applicants filing AD Statement.
37. _____ A Disclosure Statement, in the form set below must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or leasor shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors."

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The plat for the proposed subdivision has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By: 
Licensed Professional

Date: Feb, 21, 1997

PROJECT I.D. NUMBER

617.21

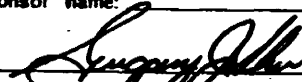
Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR Petro Metals, Inc.		2. PROJECT NAME New Garage/Warehouse For Petro Metals, Inc.	
3. PROJECT LOCATION: Municipality Town of New Windsor County Orange			
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) West side of Windsor Highway, Opposite Willow lane			
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration			
6. DESCRIBE PROJECT BRIEFLY: Construction of a 1,200 s.F. Garage/Warehouse			
7. AMOUNT OF LAND AFFECTED: Initially 1.67 acres Ultimately 1.67 acres			
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly			
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:			
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals			
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval			
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE			
Applicant/sponsor name: Petro Metals, Inc.		Date: Feb. 21, 1997	
Signature: 		Engineer For The Applicant	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.
☐ Yes ☒ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
☐ Yes ☒ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
No

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
No

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
No

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
No

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.
No

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.
No

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.
No

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
☐ Yes ☒ No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- ☐ Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- ☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

Town Of New Windsor Planning Board

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of President (if different from responsible officer)

Date